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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,829	07/03/2001	Min Soo Park	2060-3-07	1100
35884	7590	10/27/2005	EXAMINER	
LEE, HONG, DEGERMAN, KANG & SCHMADEKA, P.C. 801 SOUTH FIQUEROA STREET 14TH FLOOR LOS ANGELES, CA 90017			NGUYEN, BRIAN D	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.

09/898.829

<b>Applicant(s)</b>	
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PARK, MIN SOO

**Examiner**

Brian D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on the application filed on 7/3/01.  
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. Page 8, lines 22 and 25, it is suggested to replace “the receiving system 200” with --the transmission system 100--.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: “S34” and “S35” mentioned on page 8, lines 23, 26, and 31. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. Claims 2-5 and 11-21 are objected to because of the following informalities:

Claim 2, line 3, “a first allowable value” seems to refer back to “a first allowable value” in lines 1-2. If this is true, it is suggested to change “a first allowable value” to --the first allowable value--.

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Regarding claim 4, “a current hold time”, “a designated time unit”, and “a second allowable value” seem to refer back to “a current hold time”, “a designated time unit”, and “a second allowable value” in line 5 of claim 1 and lines 5 and 2 of claim 2, respectively. If this is true, it is suggested to change “a current hold time”, “a designated time unit”, and “a second allowable value” to --the current hold time--, --the designated time unit--, and --the second allowable value--.

Claim 11, “form” in line 5 should be changed to --from--.

Claim 12, it is suggested to replace “wherein a step is further included for” with --further comprising:--.

Claims 18 and 20, line 1, it is suggested to change “procedure” to --steps--. “the current hold time information” in line 2 seems to refer back to “hold time information” in line 11. If this is true, it is suggested to change “hole time information” to --current hold time information--. “the maximum value” in lines 11-13 seems to refer back to “a designated maximum hold time” in line 8. If this is true, it is suggested to change “a designated maximum hold time” to --a designated maximum hold time value-- and “the maximum value” to --the maximum hold time value--.

Claim 19, line 1, “the designated maximum value” has the same problem as claim 18.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the compressed voice data packets" in line 7. There is insufficient antecedent basis for this limitation in the claim. In lines 3-4, the applicant seems to mean that each voice data packet comprises a protocol header with a sequence number. To correct this problem and the lack of antecedent basis for the compressed voice data packets in line 7, it is suggested to replace "a protocol header with a sequence number received over the internet" with --using compressed voice data packets received over the internet, wherein each voice data packet comprises a protocol header with a sequence number--.

Claim 2 recites the limitation "the previous hold time" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the user" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the designated time unit" in line 1. There is insufficient antecedent basis for this limitation in the claim. Claim 9 should depend on claim 2 for proper dependency.

Claim 10 recites the limitation "the voice data loss" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitations "the VoIP" in line 1, "the transmission system" in line 3, "the receiving system" in line 4, "the compressed voice data packet loss rate" in line 6, and "the

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hold time information packet” in line 11. There is insufficient antecedent basis for these limitations in the claim.

Claim 14 recites the limitation “the maximum sequence number” and “the minimum sequence number” in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the user" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claims 18 and 20 recite the limitation "the previous hold time" in line 6. There is insufficient antecedent basis for this limitation in the claim. In line 10, “based on the above evaluation” is unclear which one of the evaluations mentioned in lines 4 and 8 the applicant is referring to.

Claims 19 and 21 recite the limitation "the first time unit" in line 2. There is insufficient antecedent basis for this limitation in the claim.

#### ***Allowable Subject Matter***

6. Claims 1-21 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

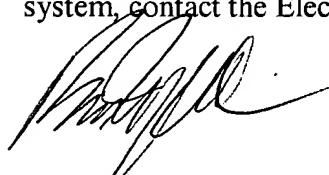
#### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D. Nguyen whose telephone number is (571) 272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



10/20/05

**BRIAN NGUYEN**  
**PRIMARY EXAMINER**